

SENATE BILL 1767  
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 36, relative to creating domestic relations magistrates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, is amended by adding section 2 through section 6 as a new chapter thereto:

SECTION 2. The provisions of this act shall be effective in any county upon approval by resolution adopted by a two-thirds (2/3) vote of the total membership of the county legislative body.

SECTION 3. There is hereby created the position of domestic relations magistrate who shall be deemed an employee of the state and under the supervision of the administrative office of the courts. Such magistrate shall be appointed by the domestic relations judiciary in each county.

SECTION 4. The duties of the domestic relations magistrate shall include:

- (1) Hearing all temporary child support and alimony matters in newly filed divorce actions;
- (2) Hearing all non-Title IV-D modifications of child support;

(3) Hearing all non-Title IV-D contempt actions in child support and alimony matters with final approval from the presiding chancellor or judge regarding any ruling on incarceration;

(4) Hearing temporary child custody matters upon referral from the presiding chancellor or judge;

(5) Hearing discovery motions upon referral from the presiding chancellor or judge;

(6) Holding expedited hearings in domestic relations matters upon stipulation of all parties; and

(7) Hearing requests for temporary restraining orders and other emergency relief in the absence of the presiding chancellor or judge upon authorization of such chancellor or judge.

SECTION 5. The domestic relations magistrate shall not hear order of protection actions except for enforcement of support issues.

SECTION 6. The position of domestic relations magistrate shall be funded by adding an additional fifty dollar (\$50.00) filing fee to all domestic relations cases.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.